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Official Report of Debates (Hansard)

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SP-19

Standing Committee on Social Policy

Modernizing Ontario's Municipal
Legislation Act, 2017

2nd Session
41st Parliament

Tuesday 25 April 2017

Comité permanent de la politique sociale

Loi de 2017 sur la modernisation
de la législation municipale
ontarienne

2^e session
41^e législature

Mardi 25 avril 2017

Chair: Peter Tabuns
Clerk: Katch Koch

Président : Peter Tabuns
Greffier : Katch Koch

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CONTENTS

Tuesday 25 April 2017

Modernizing Ontario's Municipal Legislation Act, 2017, Bill 68, Mr. Mauro / Loi de 2017 sur la modernisation de la législation municipale ontarienne, projet de loi 68, M. Mauro	SP-397
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DECLARATION

THOMAS K. BROWN

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of [] State of []

Witness my hand and seal this [] day of [] 19[]

Notary Public for the State of []

My commission expires on the [] day of [] 19[]

Notary Public for the State of []

My commission expires on the [] day of [] 19[]

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
SOCIAL POLICYCOMITÉ PERMANENT DE
LA POLITIQUE SOCIALE

Tuesday 25 April 2017

Mardi 25 avril 2017

*The committee met at 1601 in committee room 151.*MODERNIZING ONTARIO'S MUNICIPAL
LEGISLATION ACT, 2017LOI DE 2017 SUR LA MODERNISATION
DE LA LÉGISLATION MUNICIPALE
ONTARIENNE

Consideration of the following bill:

Bill 68, An Act to amend various Acts in relation to municipalities / Projet de loi 68, Loi modifiant diverses lois en ce qui concerne les municipalités.

The Chair (Mr. Peter Tabuns): Good afternoon, members of the committee. We're here to resume clause-by-clause consideration of Bill 68, An Act to amend various Acts in relation to municipalities.

When the committee was adjourned yesterday, as many will remember, we were at section 26 of schedule 1, and Mr. Hardeman had the floor for motion 12 with a replacement version.

Mr. Hardeman, I believe I have a copy and you have a copy. I hope that everyone does. If you want to start by reading out PC motion 12.1, version 3.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. I move that section 26 of schedule 1 to the bill be amended by adding the following subsection:

“(0.1) Subsection 238(1) of the act is amended by adding the following definition:

“‘materially advances’ means to measurably or identifiably advance;”

The Chair (Mr. Peter Tabuns): Thank you. Would you like to speak to that?

Mr. Ernie Hardeman: I think, Mr. Chair, we've had considerable debate at the public hearings on the word “advances,” that a decision being advanced at a meeting would constitute a requirement to be a meeting of council. In this bill the word “materially” was added, but no one seems to be able to identify—well, there seems to be some discrepancies as to how you identify what “materially” means.

I just want to point out that during the presentations to the committee, Warren Mar, commissioner of legal and bylaw services with the town of Whitby, said, “We believe that the definition of ‘materially advances,’ both as it's used in the new definition of a meeting and as it's used in the closed-session exemption for education and training, needs to be clarified.”

So here we have somebody who deals with it every day who realized that that “material” needs to be identified. “The Ombudsman, in making his rulings—especially most recently, last year, with regard to Oshawa city council—has not shown any differentiation between the definition of ‘advances’ and ‘materially advances.’ This has caused problems for municipal councils and has rendered, in our opinion, the education closed-session meetings of limited value. Clarity is lacking in interpreting how and when a meeting materially advances matters.”

And so I think this motion is being put forward to clarify that. I had the opportunity to speak with some of the presenters even after the meeting. With two very qualified people speaking, they both had a different opinion as to how much impact the word “materially” added to “advances” has, whether that means anything or whether it doesn't. I think we asked leg counsel to prepare an amendment that would address what they read it to be, that it should be meant. That's the way it's written there, that it's “measurably” and identifies its advancement.

So, just because it may have changed or may have had some impact on how one member at the meeting had it in their mind that if the process hadn't advanced to a different spot in the debate, then it wasn't materially advanced—if they actually got together and said, “Okay, I think we have an agreement here,” then in fact they have materially advanced the position of that issue. I think that would be measurable and identifiable in their advancement. I think that's what we're trying to clear up with that.

We'll see what the parliamentary assistant has to say to it.

The Chair (Mr. Peter Tabuns): I have Mr. Rinaldi, and then I'll have Mr. Hatfield.

Mr. Lou Rinaldi: The phrase “materially advances” is used elsewhere in the legislation. It currently expresses a relationship to the closing of education and training meetings. As a result, municipalities will already be comfortable with applying this concept. It's not new; it has already been identified through other sections of this legislation. I don't think there are any further amendments or changes to it.

The Chair (Mr. Peter Tabuns): Mr. Hatfield, and then Mr. Hardeman.

Mr. Percy Hatfield: I take us back to 9.1, where we talked about a person demonstrably acting in the public interest.

“Demonstrably,” we accepted, and I would suggest that “materially advances” could very well be “demonstrably advances.” We have already accepted the government wording in 9.1. I would suggest “demonstrably advances” is just as good as or better than “materially advances.”

I just put that out for consideration, just to have some fun to start the afternoon.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much for that comment. I find it kind of interesting. I do agree with my learned colleague that “demonstrably” and “materially” may in fact have similar meanings. But I don’t think there’s anything in the bill that allows the interpretation of one section—if it’s not in the interpretation section—from one section to the other to make that determination, with the people who are going to be using this act, that they should take that to be the same as this.

I have to assume that the government would not do anything as big or as demonstrative as this—putting that word in—if there wasn’t a purpose for that word. Yet no one seems to be able to identify, and the parliamentary assistant didn’t, in his explanation, actually explain, why the word has been added and what it will do to be different from what the definition was before.

I still put it in there that the answer to this is to clearly identify what the different meaning would be if you add the word “materially” to “advances,” as opposed to just advancing something.

I just can’t understand why the government would be reluctant to clarify, to put in place a true definition of the word and what intent they have in this section. Why would you add the word “materially” and then not let anyone know what you intend to accomplish by adding that word? I just can’t believe that you would do that.

The Chair (Mr. Peter Tabuns): Further discussion? There being none, is the committee ready for the vote?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote is requested.

Ayes

Coe, Hardeman.

Nays

Dickson, Fraser, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

We go now to PC motion 13, version 2, I believe.

Mr. Ernie Hardeman: I believe, Mr. Chair, everyone has a copy of that one too.

The Chair (Mr. Peter Tabuns): My apologies, Mr. Hardeman. Motion 13 is your original version. You’re going to withdraw that, because you have a 13.1?

Mr. Ernie Hardeman: Yes, we withdraw that.

The Chair (Mr. Peter Tabuns): Motion 13 is withdrawn. And then 13.1 is what you’re putting forward.

Mr. Ernie Hardeman: Yes, sir.

Mr. Lou Rinaldi: Do we have that, 13.1?

1610

Mr. Ernie Hardeman: I have more copies of it, if you need more copies.

The Chair (Mr. Peter Tabuns): I understand from the Clerk that it has been distributed—

Interjections.

The Chair (Mr. Peter Tabuns): Yes. Everyone has the documents? Okay.

Mr. Hardeman, if you want to proceed.

Mr. Ernie Hardeman: I move that subsection 26(2) of schedule 1 to the bill be struck out.

The Chair (Mr. Peter Tabuns): Did you want to speak to that? You don’t have to.

Mr. Ernie Hardeman: So far, my record seems to be somewhat—Mr. Chair, I’m going to try this one by saying nothing and seeing if the government side would maybe consider passing something as simple as this. It seems that every time, I talk a good game, but they vote every one of my motions down.

The Chair (Mr. Peter Tabuns): I understand. Any discussion on this side?

Interjections.

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): You’re ready for the vote? Recorded vote requested.

Ayes

Coe, Hardeman.

Nays

Dickson, Fraser, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

We now go to government motion number 14: Mr. Rinaldi.

Mr. Ted McMeekin: Try to say nothing.

Mr. Lou Rinaldi: Yes, try to say nothing. Yes, a new strategy.

I move that section 26 of schedule 1 to the bill be amended by adding the following subsection:

“(3) Section 238 of the act is amended by adding the following subsection:

““Same

“(3.2) The applicable procedure bylaw shall not provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is closed to the public.”

The Chair (Mr. Peter Tabuns): Thank you. Any comments?

Mr. Lou Rinaldi: Sure. This motion complements the previous subsection of the bill, subsection 26(2), which addresses electronic participation in meetings that are open to the public. The change proposed in this motion will clarify the members would not be able to participate electronically in meetings that are closed to the public.

The Chair (Mr. Peter Tabuns): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: Just a question through you to the parliamentary assistant, the question being that if a councillor can phone in to a meeting that's a public meeting, so they're not facing the electorate—they can do that in a regular council meeting, but they cannot do that in an in-camera meeting. Why is that necessary?

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: The in-camera session might be sensitive, and we don't know who's on the other end of the phone. It's good to use the phone while it's open to the public, so that anybody could participate. But during a closed session, we just want to make sure we're protected, that the person who is on electronically doesn't have anybody else in that room or who could listen to the conversation. It's a closed meeting.

The Chair (Mr. Peter Tabuns): I have Mr. Hatfield and then Mr. Hardeman.

Mr. Percy Hatfield: I don't wish to be argumentative. I remember my days on Windsor city council. I know what happens in an in-camera session of council. Quite often, you are getting information or direction from senior staff on a property issue, a legal issue, a bargaining issue, whatever. And then, later, you go out in a public session, and if that item is on the agenda, you are then going to vote on it.

If you have a 10-member council and two of them, for the sake of argument, can't be there, they're going to call in for the public meeting and take part in the discussion that's on the table. As I understand it—correct me if I'm wrong—at some point in the bill, each municipality will have the option of setting out their own procedural bylaw to determine whether councillors who call in to a meeting can actually vote at that meeting. There is nothing in the act that says you can or you cannot. That is left up to the municipality.

Now what you're doing is restricting—you're handcuffing—those who are going to participate in the public meeting, and taking a vote, from having the information available to them from senior staff that was given in camera.

I believe that if this goes ahead—I'm just seeing it for the first time; I haven't thought it through—you're putting the person or persons who are going to phone in to the public meeting at a great disadvantage, because they will not have any knowledge of the information that was given to everybody else on council. If they are going to speak to a motion, something on the floor, they may very well steer themselves into situations that could have been avoided had they had the opportunity to take part in the conversation in the closed meeting. They may very well open up a dialogue that is going to be detrimental to the entire municipality, because they weren't cautioned in camera, "Don't go down that road, because, boy, there's something at the end."

I don't know if you want to take this back and have a second thought or if your mind was made up on this. I don't know if those who have framed this amendment

have thought it through all the way. It just hits me, right off the top, that we're heading down a slippery slope here if we're going to be restricting all members of council from having full knowledge of an issue that they could very well be voting on in a public session, if you deny them the opportunity to have confidential information and advice from staff, direction from staff, at the in-camera meeting before the public meeting.

Interjections.

The Chair (Mr. Peter Tabuns): I'll put you on the list. I've got Mr. Hardeman, Mr. Fraser, Mr. Coe, and then I'll have Mr. Rinaldi.

Mr. Ernie Hardeman: I want to be somewhat in the same vein as the previous speaker, but first of all I want to say that we've heard a number of times from the government side that we have to respect the ability of councillors in their job. They were elected to do a job, and I think that would include trusting that if they're going into an in-camera meeting, they're not going to have other people in the room who are going to cause a conflict, that it's not a closed meeting.

If we don't have that much faith in the councillors, then I think it's kind of window dressing when you say, "We think that as a group they are mature and are doing a good job." Yesterday, I think, Mr. Chair, someone tried to point out that in fact I didn't have respect for my local colleagues at the municipal level. I want to say that this is one of those cases where I really believe that you would have to leave it in the hands of the councillor to know that if they're going into legal and personnel, that in fact they have to make sure that there are not others in the room at the same time.

Having said that, I'm opposed to electronic meetings in toto, unless there's a good reason to have that, to just say that as long as it's not the majority of council—so you still have a quorum sitting in the council chamber—people can be part of the meeting by phone. They are the government that's closest to the people, and it's based on the fact that people can come there and sit face to face with the people who are making decisions on their behalf. They can ask them questions and have them explain, as we're doing in this committee. On the phone, they don't have that same connection with the people.

But going back to what Mr. Hatfield was talking about, I have some real concerns that a lot of times what goes on in the in-camera meeting is in fact the discussion that's going to lead to the final decision of council when they come back out. What will come back out of that closed meeting is a motion to pass—and it may be at the same meeting, again, coming back out, or it may be something that's going to come at the next meeting, when this person is actually sitting at the table.

But the discussion that took place on which truck to buy, or which member of staff was not meeting the standards that the municipality expects and they are going to dismiss—that whole discussion, they would not have been part of. They were at the meeting—they were clocked in as having been at that meeting—but when they went into legal and personnel, where you don't keep attendance, they're not allowed to be there.

It just doesn't make any sense that we don't have enough faith in that person that they will sit in private surroundings so they're docked "here," remembering that the person at the other end can only hear what that member is saying; he's got the phone to his ear. I think this is overkill in suggesting that there might be someone who hears an in-camera meeting because we didn't have the clerk available to make sure that the room was swept of any listening devices and all this other good stuff. I think we're going a long way. If we're going to be in the business of electronic council meetings, I think we should allow that to be both open and closed meetings.

1620

The Chair (Mr. Peter Tabuns): I go next to Mr. Fraser.

Mr. John Fraser: I want to concur with my colleague. An in-camera meeting is just that: It's inside. I see what you're saying. It's not about trusting the people; it's about trusting these things. It's about trusting communications. If you're doing something on the inside that's not being communicated outside the room, then it shouldn't be communicated outside the room. It has nothing to do with the trust of the person on the other side; it's the communication going over that wire. It could be the person on the other side. I don't think anybody would do that. I don't believe in in-camera meetings in the first place; I'm not a big fan of them. I don't think anybody would do that, but somebody might. Somebody might be able to pick up that transmission. It's not the hardest thing to do in the world; we've been hearing a lot about that.

I understand what both my colleagues are saying across the way, but I think we have to think about that as a principle.

The Chair (Mr. Peter Tabuns): Mr. Coe.

Mr. Lorne Coe: Can we have the ministry solicitor attend at the table, please?

The Chair (Mr. Peter Tabuns): Mr. Rinaldi, it's your decision.

Mr. Lou Rinaldi: And the reasoning is?

Mr. Lorne Coe: I'd like the solicitor, through you, Mr. Rinaldi, to address the concerns and issues that Mr. Hatfield addressed: the cause and effect of the amendment.

Mr. Lou Rinaldi: Chair, I look for your guidance in this because this is a policy decision from the government. I could be wrong. It's not a staff decision.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi, it's your decision to make.

Mr. Lou Rinaldi: I think I was fairly clear in explaining the reason. This is a policy decision from government.

The Chair (Mr. Peter Tabuns): Okay. Mr. Coe, did you have anything further to say?

Mr. Lorne Coe: The cause and effect of this amendment is not clear, and I share the same concerns that Mr. Hatfield expressed.

The Chair (Mr. Peter Tabuns): I've got Mr. Rinaldi, Mr. McMeekin and then Mr. Hatfield.

Mr. Lou Rinaldi: I guess I'm going to refer mostly to Mr. Hatfield's concerns, and the others, and Mr. Hardeman's as well.

With today's technology, we know how easily things get hacked, whether it be a telephone, computer, whatever it is. So I think, from a perception standpoint, that somebody somewhere in a closed session, in a closed room—sometimes it leaves those questions.

As I said yesterday, I have the utmost respect for my municipal colleagues. I think they're all there for the right reasons.

This is to minimize that risk initially, number one; secondly, I think we have to remember that this piece of legislation, if passed with this amendment, will be up for review in five years' time. This is new; it's groundbreaking, I think, from a municipal perspective. I would argue: Let's be cautious, and in five years we'll review it. There might be other technology that's even better than what we have today.

The Chair (Mr. Peter Tabuns): We go to Mr. McMeekin.

Mr. Ted McMeekin: I think we need to be careful here. This is something new that we're trying. I think we need to go slow. There's something in my gut about in-camera meetings and people phoning in from the cottage. They may be on the beach; they've probably got their cellphone on because they're having trouble hearing, with all the noise around them, the conversation.

Mr. Hardeman, for whom I have a lot of respect, has been involved in a lot of municipal stuff for years, as have some of the others of us. But—I shouldn't say "but"; I should say "and"—the concern I have is that there are municipalities where the only thing you can be sure of is that when they go in camera it's going to be leaked 10 minutes after it's out, and that's without filtering in the cottage, the beach, and the concern that Mr. Fraser raised around the various technologies that are in play.

I'm just not comfortable with it. Do I trust municipal councillors? Almost all, almost all of the time, but some, hardly ever—that's the few, very, very few, but we've seen some incidents of lawsuits at OMB hearings based on stuff that shouldn't be out there and was overheard by somebody. Papers were left behind, and then you've got the whole trick of getting papers back and forth to the person who's going to be calling in. Where do they go? Who delivers them? Who sees them ahead of time?

Open, in terms of public meetings—anything that sits publicly, right? But confidential stuff—land acquisitions, key personnel decisions, the kinds of things we traditionally go in camera for—I don't think we're ready to have those with electronic participation at this point. As Mr. Rinaldi said, we'll review it in a few years. If it works well, maybe we can revisit it, but I think it's too soon.

The Chair (Mr. Peter Tabuns): We go to Mr. Hatfield.

Mr. Percy Hatfield: I'm surprised we're getting this kind of pushback on something—what, of the nine members of the committee, seven have served on council

in one way, form, shape or another. With all due respect, I don't know how many staff members from the ministry have ever been elected at the municipal level, and they've framed clauses that have come to us, some of us with some experience.

As a former councilman, as a former member of AMO, as a former member of the FCM board, I have great respect for municipal politicians. I have great respect for integrity commissioners and for codes of conduct. I would expect that if an elected city councillor was going to call into an in camera session, that person would only do so if that person was in a secure place, on a secure line and without anybody else listening in. That is part of the rules. If you're following along an integrity commissioner and a code of conduct, this is what you do.

With all due respect to my friend Mr. Fraser, who doesn't like in camera meetings, those are a fact of life in municipal government. You have to do it on certain issues. You can't talk about issues in public that you have to talk about in camera.

We're going to electronic voting. You mentioned the possibility of hacking. Well, if somebody wants to hack an electronic voting machine, I would suspect it's as easy as hacking into a BlackBerry.

There's nothing that says that when you call into a meeting you're on a beach or you're at the cottage. You could very well be on a landline at home as you're sick in bed—as safe and secure as that communication is. I just think that we haven't thought it through and we are setting up barriers that will leave people voting in a public session with less than complete information on the subject at hand, perhaps.

I can see if you say, "You can't call into an in camera session. You can call into a public meeting, but you can't discuss or have any input into anything on that agenda that was discussed in camera." That takes you out of that loop, if you want to go that way. But to say that you don't trust municipal politicians to call in in camera and keep that information confidential because—God help us, that's exactly what I heard from Mr. McMeekin: that you can't trust the safety and the security of the phone line.

If anything, this just shows me all of the evidence that I need to say that this bill is not a well-thought-out bill. There are things in this bill that we're rushing through, that we haven't given serious consideration to. We've talked before about pages and pages and 50 or 60 or 70 amendments because of how poorly written this bill is. This is a prime example of that for me.

The Chair (Mr. Peter Tabuns): Mr. Dickson.

Mr. Joe Dickson: If you'd bear with me, when I look around the room I realize we have very, very savvy, educated, previously elected members of many levels of government, whether it's school board, municipal, regional or provincial. I wonder, because I don't know the depth of everyone here, if they'd just go around the room and say, "21 years," "18 years," to give me a little better feeling.

1630

I don't want to delay anything, and I don't want to make any comment on it. I'm here to listen, not to speak.

The Chair (Mr. Peter Tabuns): If the committee so chooses, you're welcome to do so.

Mr. Lorne Coe: I served for 13 years on a Durham regional council. I was on several subcommittees at the Association of Municipalities of Ontario.

Mr. Joe Dickson: I apologize; just give me one number. I don't want to hold things up.

Mr. Ernie Hardeman: Ernie Hardeman. I spent 14 years on municipal council, at all levels.

Mr. Percy Hatfield: I spent seven years on Windsor city council. During that time, I served on the national board of the Federation of Canadian Municipalities. I served on the Association of Municipalities of Ontario as an executive member, as an AMO vice-president and as chair of the large urban caucus. Prior to that, out of my 30 years as a reporter, I spent 20 or 25 covering municipal politics and provincial politics.

Mr. Joe Dickson: Just the number of years.

Mr. Lou Rinaldi: It's 23.

Mr. Joe Dickson: It's 23.

Mr. John Fraser: None.

Mr. Joe Dickson: None?

Mr. John Fraser: None.

Ms. Daiene Vernile: I spent 36 years covering Ontario politics.

Mr. Joe Dickson: I've done 40 years without even covering the 30 years in the newspaper, so I'm 104 years old.

Thank you for the flexibility, Mr. Chair.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Dickson. Is there any further comment? Mr. Hardeman.

Mr. Ernie Hardeman: I want to go back to this amendment—

The Chair (Mr. Peter Tabuns): Yes, number 14.

Mr. Ernie Hardeman: —and the comments that were made by one of the members who isn't presently here. It really explains my problem with this whole section on electronic meetings.

We were told that it could be in emergencies, so people could call in to the meeting if, for whatever reason, they couldn't get there because of inclement weather or the car wouldn't start or whatever—they had a good reason. But then all of a sudden, when we're talking about the closed sessions, we're saying they may be sitting at the cottage or at the beach. Again, I don't think that's what the people voted for when they voted for their members of council: to spend the summer at the beach and just call in. That's the reason I'm having this debate.

But I also want to go to the part about the way the phone call went, about what might happen—they'd leave papers lying around. I would just point out that if you look at the process—and I'm glad that Mr. Dickson asked about our experience. When they send out the agenda, whether you're going to participate in the regular meeting, and the legal personnel—if you're a member of council, you get the whole agenda. If we're worried that this in-camera parcel of papers is going to get to the beach, where other people can see it, that's going to happen regardless of whether they can call in with their

comments on it. I just don't see the merit of saying, "Oh, no, there's too much risk there."

If we're going to have better technology five years from now—I would hope we do, and I would hope that the security on those would be far greater than it is today. But all of us today—and I think most of us who are here at this table are wearing our BlackBerrys, or carrying our BlackBerrys—we assume that the level of security that is there is sufficient to do what we need to do. I can't remember the last time that I worried about what I was saying on my BlackBerry, thinking somebody may be hacking that message. I may have had times I was on it when I didn't stand close to other people, because I didn't think that was a conversation that I wanted to go any further than between me and the person at the other end of the line. But I can't remember ever worrying about it being hacked and that the meeting may not be secret.

Now, that's not to say I've never sat in on an in-camera meeting in person and, the next day, gone out on the street and seen the message on the street. We didn't need protecting from cyber-hackers.

The message doesn't always stay there. I think if we're looking for security, it may be more secure coming on the line than it is going to the people who are at the meeting.

The Chair (Mr. Peter Tabuns): Thank you. Mr. Rinaldi.

Interjections.

The Chair (Mr. Peter Tabuns): Gentlemen, Mr. Rinaldi has the floor.

Mr. Lou Rinaldi: Just very quickly—I'm glad Mr. Hardeman now believes in telephone or electronic. He just said that.

I just want to make something clear, Chair. The bill is not mandating this. Municipalities ultimately make the decision whether they're going to use this or not. Frankly, if they don't feel comfortable, they don't pass a bylaw and it's business as usual. We're doing a lot of things here where we're just assuming that this is a done deal and we respect municipal decisions.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: I think, Mr. Rinaldi, that's exactly my point. It's a municipal choice, but with this amendment you're saying, "It's your choice, but if you choose to have electronic meetings, we don't want you and will not let you have electronic meetings for in-camera meetings." That's what I think is the funny part. I can understand that if the municipalities had the concern that it's not private enough, they have a right to say we're going to have electronic meetings, but not the in-camera part. Why does the province think it's more important to deal with that than it is with the regular meeting? If you believe in their authority, why don't you let them make that choice on both of them?

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. I see no other comments. You're ready for the vote?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote is requested.

Ayes

Dickson, Fraser, Rinaldi, Vernile.

Nays

Coe, Hardeman, Hatfield.

The Chair (Mr. Peter Tabuns): The motion is carried.

We now go to the vote on the section as a whole, as amended.

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote is requested. Shall schedule 1, section 26, as amended, be adopted?

Mr. Lou Rinaldi: Carried.

The Chair (Mr. Peter Tabuns): No. A recorded vote was requested, Mr. Rinaldi.

Ayes

Dickson, Fraser, Hatfield, Rinaldi, Vernile.

Nays

Coe, Hardeman.

The Chair (Mr. Peter Tabuns): It is carried, as amended.

We go on now to schedule 1, section 27. We have PC motion 15. Mr. Hardeman.

Mr. Ernie Hardeman: I move that clause 239(2)(h) of the Municipal Act, 2001, as set out in section 27 of schedule 1 to the bill, be amended by adding "or between municipal governments" at the end.

The Chair (Mr. Peter Tabuns): If you wish to comment?

Mr. Ernie Hardeman: Yes. This would allow a municipal council to go into a closed meeting to discuss information supplied to them in confidence by another municipality, similar to the exemption Bill 68 proposes for confidential information from the federal or provincial governments or a crown agency.

If we respect municipalities as a mature order of government, then they should have the same right to share confidential information. This amendment was requested by AMO.

I know there are a lot of issues between municipal governments that require a considerable amount of debate and discussion in camera during the process. I'm thinking of boundary adjustments. There's not many negotiated boundary adjustments that can be completed totally in a public meeting with all the information being public every step of the way. Most of them have com-

mittees and they have to have discussions to come up with a plan.

This amendment is to share or to allow them to do that in camera and to protect that information the same as they protect information they get from the provincial and federal governments.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. Mr. Coe.

Mr. Lorne Coe: Thank you, Chair. My colleague opposite, MPP Dickson, will know, because he served both on upper-tier and lower-tier levels of government, that these instances do occur and they are occurring more frequently across the province, particularly in those instances where there's upper-tier and lower-tier government. So this particular amendment not only addresses the recommendation from AMO, but it deals at the local level and will address a real need.

This particular situation comes up repeatedly in Durham region, as my colleague opposite will know, in terms of situations with Oshawa and the region of Durham and also transit issues and social services and health care issues, where information does come before.

1640

So I think this amendment is a timely amendment. It reflects a real need, particularly in the region of Durham, but across other sectors where there's an upper tier and a lower tier. Those members of this committee who have served on councils will appreciate that nuance and subtext.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I would say that the proposed new open meeting exemptions under Bill 68 are intended to parallel certain existing MFIPPA exemptions for records which do not include an exception for these types of municipal records.

Municipalities are already able to go into closed meetings, as per the open meeting exemptions, and Bill 68 includes provisions that provide more clarity on when it is appropriate for a municipal government to hold a closed meeting; for example, in order to discuss negotiating positions or in order to protect commercially sensitive information.

Frankly, this is more about the content and not necessarily who's participating, so I recommend voting against it.

The Chair (Mr. Peter Tabuns): Mr. Hatfield.

Mr. Percy Hatfield: I'll just note for the record: When we're talking about government coordination at various levels, it's unlikely that the Prime Minister or the Premier would call in to such a meeting, but they wouldn't be allowed to call in anyway under what we've just passed—that you couldn't call in to a closed meeting.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: Mr. Chair, I'm a little taken aback by the comments of the parliamentary assistant suggesting that it's important to have the issue dealt with—that they can keep information from the provincial government and information from the federal govern-

ment private, but between municipal governments they can't.

This motion is just to make sure that we treat them all equally. To say all the provisions to closed meetings and open meetings are fine but—the closed meeting is closed to the members of the council, not to the members of the 25 other councils that are involved with that same topic. If there were discussions for boundary adjustment, the closed meeting would not allow the people from the other councils to be in that meeting. I think it's important, when one of them presents something, that that can be kept confidential through the process of the negotiation, so when it's finished we can actually have the discussion or we can have the proposal presented to the full council before all the information becomes public of what they've been talking about. So I think they're missing the mark as to why this is there. The reason AMO requested it wasn't because they think it was already covered; the reason they requested it is because they believe it was an omission in the writing of the legislation, that it didn't include the option of also keeping private the information from one municipal government to another.

The Chair (Mr. Peter Tabuns): I have no other people to speak. That means we're ready to go to the vote.

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote has been requested.

Ayes

Coe, Hardeman.

Nays

Dickson, Fraser, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

We now go to NDP motion 15.1. Mr. Hatfield.

Mr. Percy Hatfield: I move that clause 239(2)(k) of the Municipal Act, 2001, as set out in section 27 of schedule 1 to the bill, be struck out.

The Chair (Mr. Peter Tabuns): Are there any comments you'd like to make?

Mr. Percy Hatfield: I think it deletes the vaguely worded exception to open meeting rule that was specifically singled out by the IPC relating to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or the local board.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: The proposed new open meeting exemption under Bill 68 is intended to parallel certain existing MFIPPA exemptions for records. There are checks and balances in the Municipal Act to address meetings that may have been improperly closed, including the meeting investigator's role.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Rinaldi. Mr. Hatfield—

Mr. Percy Hatfield: So you're supporting it?

Mr. Lou Rinaldi: No.

Mr. Percy Hatfield: Oh.

Mr. Lou Rinaldi: I was going to surprise you.

The Chair (Mr. Peter Tabuns): Any further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: I have a further question to the mover of the motion. I'm not quite clear as to what it is we're trying to accomplish.

The Chair (Mr. Peter Tabuns): Mr. Hatfield, if you wish to respond?

Mr. Percy Hatfield: As I recall, when we talked about this, there were some vague references made to what could happen at this meeting, and the terms that would qualify: if you're going to be discussing a position that you might be taking, or a plan or a procedure that you might be adopting, or you're going to give any instruction that may eventually be applied to any negotiations on behalf of the municipality.

I'm just suggesting that this vaguely worded exception could be used to justify a closed meeting for pretty well anything that you can fit into that criteria. It's just so broad, you could drive a truck through it. You could fit anything in there that you may be possibly bringing up somewhere down the road. You may be talking about a plan, a procedure, a bylaw that you might be discussing sometime next year. But in the meantime, after you've done most of your other business, we might as well just sit around and chitchat about what may happen somewhere down the road.

This is to get that out of there, so that when you meet in closed session, it's under a strict guideline, very narrow in focus, that doesn't allow you to talk about stuff that should be discussed in public and not worked out in advance, months down the road from before any action is ever going to be taken on it.

The Chair (Mr. Peter Tabuns): I have no further speakers. The committee is ready for the vote? All those in favour, please indicate. All those opposed, please indicate. The motion is lost.

We go now to NDP motion 15.2: Mr. Hatfield.

Mr. Percy Hatfield: I move that section 27 of schedule 1 to the bill be amended by adding the following subsection:

"(2) Section 239 of the act is amended by adding the following subsection:

"Same

"(10) Clause 6(1)(b) of the Municipal Freedom of Information and Protection of Privacy Act does not apply to a record that reveals the substance of deliberations of a meeting that is closed to the public because the subject matter being considered is a subject matter described in clause (2)(h), (i), (j) or (k)."

The Chair (Mr. Peter Tabuns): If you'd like to speak to it?

Mr. Percy Hatfield: Thank you, sir. This, again, was requested by the integrity and privacy commissioners. I believe the privacy commissioner would prefer that part XXVII be scrapped in whole but offered this motion as a

plan B. It removes the new exceptions from the scope of exemptions under section 6(1)(b) of the Municipal Freedom of Information and Protection of Privacy Act.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I would recommend voting against this for the reason that if a person could obtain documents that would reveal the substance of a meeting that has otherwise to be closed under the Municipal Act, it will undermine the proposed new closed-meeting exemptions in Bill 68.

The Chair (Mr. Peter Tabuns): Any other speakers? Mr. Hardeman.

1650

Mr. Ernie Hardeman: I do notice that this was requested by the Information and Privacy Commissioner of Ontario, so I think we should have a serious look at what they wanted, because it seems to the Information and Privacy Commissioner that there's some concern as to the way the legislation is presently written. Since it is about that which he does, I will be voting in support of the motion, because of that recommendation.

The Chair (Mr. Peter Tabuns): I don't see any others interested in speaking. The committee is ready for the vote?

All those in favour, please indicate. All those opposed? It is lost.

We now go to the vote on section 27 as a whole. Is there any debate? You have a notice, Mr. Hatfield?

Mr. Percy Hatfield: My notice, Chair, would be that the New Democratic Party recommends voting against section 27, schedule 1 to the bill. The reason for the notice rather than a motion: If the committee wishes to remove an entire section from the bill, the rules of parliamentary procedure require that the committee vote against the section rather than pass a motion to delete it.

The Chair (Mr. Peter Tabuns): Thank you. Any further discussion? You're ready for the vote?

Shall schedule 1, section 27, carry? Against? It is carried.

We now go to schedule 1, section 28, NDP motion 15.3. Mr. Hatfield.

Mr. Percy Hatfield: I move that subsection 239.2(12) of the Municipal Act, 2001, as set out in section 28 of schedule 1 to the bill, be amended by adding "or under subsection 14.1(7) of the Ombudsman Act" after "under subsection (10)".

The Chair (Mr. Peter Tabuns): Any comment?

Mr. Percy Hatfield: Yes, thank you. This was requested by the Ombudsman, and the municipalities must respond to Ombudsman investigative reports. That would be my note.

The Chair (Mr. Peter Tabuns): Okay. Mr. Rinaldi?

Mr. Lou Rinaldi: Chair, with all good intentions, I think the next motion by the government is a bit more comprehensive, so I recommend voting against this one and we'll deal with this issue in the next motion.

The Chair (Mr. Peter Tabuns): All right. Mr. Hardeman?

Mr. Ernie Hardeman: I just wanted to comment on the parliamentary assistant's comment. Yesterday we had quite a lengthy debate about two similar resolutions, and a comment was that the government one was not quite as comprehensive as the opposition's was, so we should all support the government's amendment because it defined it more clearly. Now, all of a sudden, the next one we're coming to, because it's the government's, seems to be more "comprehensive" than this one.

I think maybe the government has trouble defining why it is they only want to vote for their amendments and no amendments from the opposition.

The Chair (Mr. Peter Tabuns): Any further debate on this matter? The committee is ready to vote on the amendment?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote has been requested.

Ayes

Coe, Hardeman, Hatfield.

Nays

Dickson, Fraser, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

We now go to government motion number 16. Mr. Rinaldi?

Mr. Lou Rinaldi: I move that subsection 239.2(12) of the Municipal Act, 2001, as set out in section 28 of schedule 1 to the bill, be struck out and the following substituted:

"Requirement to pass resolution re: report

"(12) If a municipality or a local board receives a report from a person referred to in clause 239.1(a) and (b) reporting his or her opinion, and the reasons for it, that a meeting or part of a meeting that was the subject-matter of an investigation by that person appears to have been closed to the public contrary to section 239 or to a procedure bylaw under subsection 238(2), the municipality or the local board, as the case may be, shall pass a resolution stating how it intended to address the report."

The Chair (Mr. Peter Tabuns): Sorry, you said "intended to address the report" and the text here reads "intends."

Mr. Lou Rinaldi: Sorry. I stand to be corrected: "it intends to address the report."

The Chair (Mr. Peter Tabuns): Thank you. If you'd like to address it, Mr. Rinaldi, and then Mr. Hatfield?

Mr. Lou Rinaldi: Sure—

Mr. Percy Hatfield: I was just going to point out another.

Mr. Lou Rinaldi: Please do.

Mr. Percy Hatfield: If Mr. Rinaldi—when he was doing his "(a)," he should have said "or (b)," and he said "(a) and (b)." There's a difference between "and" and "or," so you may want to—

Mr. Lou Rinaldi: I will correct that to "or." Thank you.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hatfield. Mr. Rinaldi, please.

Mr. Lou Rinaldi: The proposed amendment will increase accountability by requiring a municipality or local board to pass a resolution stating how it intends to address a report provided by a meeting investigator where the investigator reports his or her opinion that a meeting has been closed contrary to the open-meeting provision of the act.

This change is necessary to help ensure that the proposed new requirements to pass a resolution would apply to reports from both municipality-appointed meetings, investigators and in situations where the Ontario Ombudsman is acting as the default meeting investigator.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Rinaldi. Further commentary? Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. I'm a little concerned on the issue of—they must pass a resolution stating how they would address a closed-meeting report if that report came from an investigator appointed by the municipality, but there's nothing there that says that they have to do anything. If they pass a resolution that says, "We agree that the investigator said it wasn't quite the way it was supposed to be," and the council says, "Yes, but I don't think he intended to do that, and he has apologized. So I think we'll just leave it at that"—am I wrong to think that council could do that?

Mr. Lou Rinaldi: Well, I think, if you look at the—

The Chair (Mr. Peter Tabuns): I'll go to Mr. Rinaldi.

Mr. Lou Rinaldi: Oh, sorry, Chair. If you look at the second-last line, towards the end—"as the case may be, shall pass a resolution stating how it intends to address the report." So council will make a decision by resolution on how it intends to address what's in the report.

Mr. Ernie Hardeman: I guess the question is, could that resolution say, "Note and file"?

The Chair (Mr. Peter Tabuns): Mr. Rinaldi.

Mr. Lou Rinaldi: That's a decision the council will make.

Mr. Ernie Hardeman: But that could be—

Mr. Lou Rinaldi: I'm not going to—sorry, Chair. I'm not going to speculate on what council might do.

Mr. Ernie Hardeman: I'm not suggesting that you should tell me how council is going to decide. Would that be possible that council could decide, that any council could do that?

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. Mr. Rinaldi?

Mr. Lou Rinaldi: Any council could make any decision under the rules of the Municipal Act, yes.

The Chair (Mr. Peter Tabuns): Mr. Hardeman? You're done?

Mr. Ernie Hardeman: Thank you.

The Chair (Mr. Peter Tabuns): Any other speakers on this matter? There being none, you're ready for the

vote? All those in favour, please indicate. Sorry. Liberal motion 16: Those opposed? It is carried.

Now we go to the vote on the section as a whole. Shall schedule 1, section 28, as amended, carry? Opposed? It is carried.

Colleagues, schedule 1, sections 29 and 30, do not have any amendments, so I propose to bundle them together. Seeing no objections, shall schedule 1, sections 29 and 30, carry? Carried. Done.

We go now to schedule 1, section 31. PC motion 17: Mr. Hardeman.

Mr. Ernie Hardeman: I move that subsection 259(1.1) of the Municipal Act, 2001, as set out in section 31 of schedule 1 to the bill, be amended by striking out “20 consecutive weeks” and substituting “24 consecutive weeks”.

The Chair (Mr. Peter Tabuns): Thank you. Did you want to address that?

Mr. Ernie Hardeman: Yes, Mr. Chair. This amendment would extend the parental leave provisions for municipal councillors to 24 weeks, which is approximately six months. We are concerned that the current proposal of 20 weeks may be too short for some new parents. We have put forward this amendment to lengthen the parental leave for municipal councillors to 24 weeks, and have a later amendment to provide the same for school board trustees. This would give new parents up to six months’ automatic leave.

1700

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. Ms. Vernile.

Ms. Daiene Vernile: This provision to create parental leave for Ontario mayors and councillors started as a private member’s bill that I brought forward last fall, and it’s now been adopted into Bill 68. It was inspired by Kitchener councillor Kelly Galloway-Sealock. You will remember that she called in with our mayor, Berry Urbanovic. Together they advocated for 20 weeks, and AMO has advocated for 20 weeks. Other Canadian provinces that have a similar provision set it at 18 to 20 weeks. So at no time during our public hearings did we hear from anyone who pushed for longer than that. They wanted 20 weeks. Plus, the PC motion that I’m looking at does not include parental leave for school board trustees.

For those reasons I recommend voting against this motion. This is not what was asked for.

The Chair (Mr. Peter Tabuns): Thank you, Ms. Vernile. Further commentary? Mr. Hardeman, then Mr. Hatfield.

Mr. Ernie Hardeman: While I appreciate the comments, we just thought that whether it was 20 or 24, I think there are a lot of cases where 24 weeks is used as the leave time.

But the issue of school boards not being in it: There’s a further amendment coming in the future, as we move on, to include the school boards in exactly the same thing. That’s why we also would suggest that we go to 24 weeks with the school boards.

The reason that it’s lengthened is that there are slightly different circumstances. I appreciate that the councillor

who did speak was happy to get the 20. I think if we’d asked them whether 24 was better, they would have accepted 24 quite readily, too. I think, particularly under those circumstances, it’s not like a necessary job that you go to every day. In a lot of cases they go to council twice a month. So to do it for six months rather than for only five and a half seemed to make more sense.

And I did hope to put in an amendment that was supportable by the government side because there was not going to be any impact on the operations of this bill.

The Chair (Mr. Peter Tabuns): Thank you. I have Mr. Hatfield, then Ms. Vernile.

Mr. Percy Hatfield: I’ll certainly be supporting the motion. I think it’s timely. This is 2017, after all. Just because they didn’t ask for 24 weeks I don’t think should be held against them in any way. You know, you pick a number. You say, “It should be 20; it should be 24.” I agree with Mr. Hardeman; many councils these days do meet twice a month. They may be meeting in committee otherwise. But it’s a nice, even number: approximately six months as opposed to five and a half.

As to Ms. Vernile’s argument that the amendment shouldn’t be supported because it doesn’t include school board trustees, may I remind the government side that the bill didn’t include school board trustees. We’re trying to fix that. We’re trying to amend it. We’re trying to make it better and fair for everyone. There will be amendments coming to include school board trustees.

So please don’t say you shouldn’t vote for it because it doesn’t include school board trustees. The original bill didn’t include school board trustees.

I’ll leave it at that.

The Chair (Mr. Peter Tabuns): Thank you. Ms. Vernile.

Ms. Daiene Vernile: I appreciate the comments from my colleagues. Yes, we will be addressing the issue of school board trustees.

But just to circle back again to the fact that we listened to AMO and we listened to Ms. Galloway-Sealock, and they informed us, they guided us on what they wanted to see in these amendments, so this is why we have the provisions that we do.

The Chair (Mr. Peter Tabuns): Thank you. Mr. Hatfield, then Mr. Hardeman.

Mr. Percy Hatfield: We listened to AMO on—I’ll make up a number; you can check it later—20 other things that we’ve suggested so far, and the government side voted against them. So we can’t say that we listened, therefore we’re going to support them. A lot of the things that we’ve brought forward as amendments were shot down by the government side already, even though AMO had supported them.

The Chair (Mr. Peter Tabuns): Thank you. Mr. Hardeman.

Mr. Ernie Hardeman: On the same topic, I know I agree with Mr. Hatfield. We had a number of issues, in fact, just two or three amendments back, where we put forward an amendment that was a direct request from AMO, and the answer was still the same on the other

side. They voted no because that wasn't in their original amendment list, so they decided not to support it.

I would just point out that in the briefing we had for this bill, when asked, ministry staff could not provide a reason for why they had chosen 20 weeks, other than it was in the private member's bill on this issue.

I think it's wonderful that the government is concerned with private members' bills and they want to incorporate them into bills to get them passed. I know I've had the challenge, shall we say, of getting a private member's bill passed. It took five years, because the government wasn't willing to put it in their bill to get it passed. So I commend you for getting that done.

It doesn't change the fact that if there's no good reason to have the 20 weeks other than that you had put it in your private member's bill—when the ministry was asked why it was in this bill at 20 weeks, they could not explain. There's no magic to the word “20.” In my explanation, in our amendment, there is some merit in going to 24, which is six months. The 20 weeks is fine; when it's a full-time job, it comes in at an even number. But when it's twice a month, it makes more sense to have six months where you don't have to go back.

Incidentally, they can still not go back for six months. This is only that, presently, if they are missing for more than three months, they need council's permission. This is to make it so that they don't have to ask for permission to leave for maternity leave; they can take that time off.

I see no negative impact from making that six months as opposed to 20 weeks.

The Chair (Mr. Peter Tabuns): Ms. Vernile.

Ms. Daiene Vernile: In answer to Mr. Hardeman, the 20 weeks was arrived at, again, because it was suggested by Councillor Galloway-Sealock and it was advocated for by AMO. Both are pointing to other Canadian provinces where it's 18 to 20 weeks, and they felt that this was consistent.

The Chair (Mr. Peter Tabuns): Further debate? Mr. Hatfield, and then Mr. Hardeman.

Mr. Percy Hatfield: Not to prolong it—I respect my good friend Ms. Vernile, and I know her private member's bill. I fully support the concept.

I believe Ontario should lead, not follow. I believe Ontario should set standards for others to follow. Just because the rest of Canada has a lower standard at 20 is no reason why this committee couldn't recommend and implement in this bill an amendment that sets a higher standard for the rest of Canada to follow, at 24 weeks instead of 20.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hatfield. No further discussion?

Mr. Lorne Coe: Recorded vote, please.

The Chair (Mr. Peter Tabuns): A recorded vote has been requested. You're ready to vote?

Ayes

Coe, Hardeman, Hatfield.

Nays

Dickson, Fraser, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): It is lost.

With that, we go to the vote on schedule 1, section 31. You're ready to vote?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): Recorded vote.

Ayes

Dickson, Fraser, Hatfield, Rinaldi, Vernile.

Nays

Coe, Hardeman.

The Chair (Mr. Peter Tabuns): It is carried.

We go now to schedule 1, section 32, and government motion 18. Mr. Rinaldi, please.

Mr. Lou Rinaldi: I move that subsection 268(2) of the Municipal Act, 2001, as set out in section 32 of schedule 1 to the bill, be struck out and the following substituted:

“Limitation

“(2) Subsection (1) does not authorize,

“(a) the appointment of more than one alternate member during the term of council;

“(b) the appointment of an alternate member to act in place of an alternate member appointed under subsection 267(1) or (2); or

“(c) the appointment of an alternate head of council of the upper-tier municipality.

“Other temporary replacement

“(3) Despite clause (2)(a), if the seat of the member who has been appointed as an alternate member under subsection (1) becomes vacant, the council of a local municipality may appoint another of its members as an alternate member for the remainder of the council term.”

1710

The Chair (Mr. Peter Tabuns): Did you want to comment?

Mr. Lou Rinaldi: Sure. The temporary replacement of an upper-tier councillor proposal in the bill aims to help ensure more adequate representation of lower-tier municipalities on upper-tier councils, in the event that a lower-tier member is unable to attend an upper-tier council meeting.

This motion will ensure that the lower-tier municipality may generally only appoint one member of lower-tier council to serve as their temporary replacement per council term. Generally, allowing just one temporary replacement for a council term will give lower-tier municipalities the appropriate level of flexibility to help ensure adequate representation at upper-tier council meetings, while ensuring that there is a consistent lower-tier representation on the upper tier.

The Chair (Mr. Peter Tabuns): Further commentary? Mr. Coe.

Mr. Lorne Coe: Through the Chair to the parliamentary assistant: I appreciate your explanation, but it doesn't speak to what motivated this particular change. What's the basis for the change?

The Chair (Mr. Peter Tabuns): Mr. Rinaldi, do you wish to speak?

Mr. Lou Rinaldi: Sure. When I had the privilege of sitting on county council in Northumberland county—I was the mayor of the municipality of Brighton. Things might have changed by resolution of the upper tier, but back then, if I was sick one day, nobody would be able to replace me from the town of Brighton. It was just the rules of the game. I personally didn't support it because I thought that our municipality needed to be represented. So this allows them to appoint a representative. I should go back: Part of the reason for not allowing that was because the county council of the day felt that there should be some continuity. So if somebody could just come in as a ringer for a meeting and whatever, it wasn't felt—but that was a decision that the county council made.

What this does: You can have a substitute, a replacement, but only that person could be a replacement during the term of council, so that you don't have a different member of council from a lower tier attend different meetings.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: I just want to follow Mr. Coe's comments. As in your case, in Oxford county only the mayors of the lower tier are members of county council. If the mayor is unable to participate—am I to look here in (2)(c), “the appointment of an alternate head of council of the upper-tier municipality” is not allowed to be an alternate. Is that right? Subsection (1) does not authorize the appointment of more than one alternate or the appointment of an alternate head of council.

Mr. Lou Rinaldi: Yes.

Mr. Ernie Hardeman: So if the mayor was ill and unable to perform their duties at the lower tier and council appointed someone else in his stead to be the acting mayor, that alternate mayor could not be appointed to county council?

Mr. Lou Rinaldi: I'm going to look for some clarification from staff.

Mr. Ernie Hardeman: Maybe we could ask the legal branch.

Mr. Lou Rinaldi: Yes, that's what we're doing.

The Chair (Mr. Peter Tabuns): Welcome back. Just for Hansard purposes, please identify yourself again.

Ms. Carolyn Poutiainen: Carolyn Poutiainen, counsel for the ministry.

The Chair (Mr. Peter Tabuns): Thank you. Please proceed.

Ms. Carolyn Poutiainen: The question is about the limitation in (2)(c), about whether the temporary replacement provided under this new section proposed in the bill

could act as the head on the upper-tier council. The answer is no, because of this limitation in (c).

The Chair (Mr. Peter Tabuns): Further questions, Mr. Hardeman?

Mr. Ernie Hardeman: Could you repeat that again? I'm sorry. I didn't hear it.

Ms. Carolyn Poutiainen: Yes. What (2)(c) is doing is saying that this temporary replacement that we're discussing cannot act for the head of council at the upper tier.

Mr. Ernie Hardeman: Okay. That means in Oxford's case—it's just an example. My local mayor is the head of regional council. It's the only one in the province that works that way. This is saying that if he was not able to serve on regional council and, for whatever reason, they had to appoint an alternate from the southwest to council, he could not serve as head of county council.

Ms. Carolyn Poutiainen: Yes, that's right. He cannot serve as the head at the upper tier.

Mr. Ernie Hardeman: Okay. I guess this would be a policy question; I might get back to the legal. Why is it that this would not be a council decision? It was council's decision as to who was going to be the warden. I can see that this wouldn't automatically mean that his substitute would become the warden, but why would the government be taking away the right of county council to decide that they wanted that person to be the warden?

Mr. Lou Rinaldi: If I understand you right, Mr. Hardeman, the member that the council appoints to be an alternate, to keep the same person for consistency and continuity, so that we don't have different members of that lower tier appointed for different meetings—I think I understand that right.

The Chair (Mr. Peter Tabuns): Do you have a question for counsel?

Mr. Ernie Hardeman: Yes. Is this suggesting that county council could not—after the alternate was appointed, they go to a county council meeting, and the warden is not there because his alternate is there. Could the council pick that alternate as the warden? They would have to pick someone out of the 10 to be the warden. Could they pick the alternate, or does this prevent that from happening?

Ms. Carolyn Poutiainen: Just to be clear, it's the lower-tier municipality that is determining the alternate.

Mr. Ernie Hardeman: Yes. They send the alternate, but that alternate can't be the head of council of the upper-tier municipality.

Mr. Lou Rinaldi: Correct.

Ms. Carolyn Poutiainen: Yes, that's right.

Mr. Ernie Hardeman: So they pick a councillor and send him to county council. But the county council, at that point, doesn't have a head of council, because that's the one that the alternate is replacing. So council has to pick an alternate, someone to be head of council while the warden is away. Does this prevent them from picking that alternate to be head of council?

Ms. Carolyn Poutiainen: Again, the lower-tier municipality would be appointing the replacement, and they could not serve as the head of council.

Mr. Ernie Hardeman: Not as head of council.

Ms. Carolyn Poutiainen: That's exactly what 2(c) is doing.

Mr. Ernie Hardeman: But could that alternate then be made head of council by the upper tier?

Ms. Carolyn Poutiainen: I don't know what the upper tier would do in that case. This section is not addressing that.

Mr. Ernie Hardeman: Oh, okay. That's what I wanted to hear.

The Chair (Mr. Peter Tabuns): Mr. Hatfield, did you have a question for legal counsel?

Mr. Percy Hatfield: No. Carolyn, I don't think my question is for you. I think it's for Mr. Rinaldi.

The Chair (Mr. Peter Tabuns): Then if that's the case, I'm going to go to Mr. Coe, who does have a follow-on question to legal counsel.

Mr. Lorne Coe: Thank you very much for being with us again this afternoon. I'm on (c) as well. I want to give you a practical example, because I'm trying to seek some clarity about the intent of what you're trying to accomplish here.

The Durham regional council is an upper-tier council comprised of 28 people, with a regional chair—all duly elected. The regional chair right now is on leave. As I read this legislation at present, it says, "the appointment of an alternate head of council." This amendment, on the face of it, would prohibit the members of the Durham regional council from selecting alternates. Is that correct?

Ms. Carolyn Poutiainen: Again, this about the lower tier appointing an alternate.

Mr. Lorne Coe: This amendment does not make that distinction between upper tier and lower tier.

Ms. Carolyn Poutiainen: If you just turn to the bill, subsection (1), which is not proposed to be amended by this motion, it's referring to the council of a local municipality, which is the lower tier, which would be appointing an alternate.

Mr. Lorne Coe: This amendment, I would submit, Chair, needs to be more specific in its intent. Thank you.

The Chair (Mr. Peter Tabuns): You have no further questions?

Mr. Lorne Coe: I thank you very much for your answer.

The Chair (Mr. Peter Tabuns): Thank you very much for your assistance.

I go to Mr. Hatfield, and then I'll come back to Mr. Hardeman.

1720

Mr. Percy Hatfield: I never had much to do with regional councils. We have a county council, an upper-tier government, in Essex county, and every mayor and deputy mayor is a member of Essex county council. They have a warden and they have a deputy warden, and if the warden isn't there, the deputy fills in. That's the limit of my knowledge of upper tier on a personal level.

I'm with Mr. Coe, in a sense. I respect Carolyn's interpretation, taking us back to the lower tier appointing alternates. I get that you're only going to appoint one,

that you can't appoint an alternate to the alternate. I get that.

But when I read (c), it's almost as if (c) doesn't really belong here at all, because obviously, a lower tier has no ability to appoint an alternate regional chair. If the regional body is going to select somebody to fill in if the chair is not there, that is done by the regional body. There's no mechanism in municipal life for a lower tier to appoint an alternate upper tier.

So I'm with Mr. Coe on this. I think (c) is redundant, or it's confusing, because there's just no way that could ever happen, so there's no need to put it in there. I'll just leave it at that.

The Chair (Mr. Peter Tabuns): I've got Mr. Hardeman, and then I'll go to Mr. Rinaldi.

Mr. Lou Rinaldi: Maybe.

The Chair (Mr. Peter Tabuns): Maybe? Sorry, Mr. Rinaldi.

Mr. Hardeman.

Mr. Ernie Hardeman: I want to just quickly go back to (a), the appointment of more than one alternate member during the term of council.

I understand that by appointing a new one every three months or six months, and a different one, the continuity would be more problematic at council than having someone missing for that length of time.

But making that so broad, to say "appointment of more than one alternate member during the term of council"—since they have four-year terms, it's quite possible that, for whatever reason, it could happen more than once in the term that someone needed to be replaced.

In Oxford, the city of Woodstock has three members of council at the upper tier. One could be off for a period of time and then come back, and then someone else has to be away. And then, because it already happened once in four years—in the first year of the term—for three years they can't appoint an alternate, because one has already been appointed. There seems to be some double standard, shall we say. If somebody beat me to the appointment, then they can't use that again.

I would think that there should be a less blunt way of saying that you can only do one per term—if that said you could only appoint one replacement for the same person once a term. But to say that because you've had an appointment, and that may have been just for a month, and then three years later you need to do it again but you can't do that, because the legislation says you can only do it once per term—it seems like kind of a blunt instrument to deal with what would be a small problem.

The Chair (Mr. Peter Tabuns): Did you want to speak, Mr. Rinaldi?

Mr. Lou Rinaldi: Yes, just quickly. I would just say, as I said in a previous comment, that there will be a review of this legislation within five years. I think those things need to be examined as we go through the first five years, if this becomes law. Then, if we need adjustments, or amendments need to be made, I think that's the time to look at it.

The Chair (Mr. Peter Tabuns): Mr. Hardeman, you wish to speak? Please proceed.

Mr. Ernie Hardeman: On that comment, if I could, Mr. Chair, that the bill is going to be reviewed: What we're doing now is reviewing it.

Is there any information or any instances where, in fact, the present structure has been problematic? What problem are we fixing? Have we had places where it has been abused, where people are reappointing different ones every two weeks, or all of this good stuff? What is the need for the change?

The Chair (Mr. Peter Tabuns): Mr. Rinaldi?

Mr. Lou Rinaldi: Just to clarify—and I thank staff for bringing that to my attention: The lower tier will appoint one alternate for the duration of the four years. In your case, where you have three different lower-tier appointees to the upper tier—one, two, three. They're only appointed for a short term, the replacement. So if number one were to be sick today, their alternate that the lower tier appointed will go to the meeting. Six months down the road, if appointee number two was sick, the same person will replace them as well. So it will be the same person for a short term to replace the members of the upper tier, from the lower tier, from that municipality.

Some only have one member. Where I come from, there's only the mayor. In your case, if there are two or three, then the same person will replace those individuals as it happens.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: So you're suggesting that the appointment is made and that they could serve more than one stretch during the council term.

Mr. Lou Rinaldi: They could replace more than one person, if there's more than one person sitting on the upper tier from the lower-tier municipality, yes.

Mr. Ernie Hardeman: But then what happens, remembering that the person you're appointing doesn't necessarily want to be doing it for four years? They would have run for that office if they wanted that position that long. What happens if a year into it, they don't want to do it anymore? Would this say that council can't appoint a new one for the rest of the term?

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. Mr. Rinaldi.

Mr. Lou Rinaldi: I would say that the person being appointed by the lower tier would have to consent to that appointment. I'm not sure how much more I can add to that on a speculative piece.

The Chair (Mr. Peter Tabuns): Thank you very much. Any further debate or discussion, Mr. Hardeman?

Mr. Ernie Hardeman: This is a serious one for me because we've had a lot of debate in my local municipality about councils not being allowed to be represented. I don't want this legislation to prevent that from happening, after they have the right to make the appointment, and then all of a sudden, they find that because they have already done it and somebody else doesn't want to continue it—the section is, “Subsection (1) does not authorize ... the appointment of more than one alter-

nate member during the term of council.” It doesn't explain all the things that were just explained. It's pretty explicit.

Is there any place else we can find the information that would go a little bit along to what we've been told it actually does?

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. Any further discussion?

Mr. Ernie Hardeman: Can I get an answer for that, Mr. Chair?

The Chair (Mr. Peter Tabuns): Not necessarily.

Mr. Ernie Hardeman: No, I didn't say necessarily, but you didn't give an answer.

The Chair (Mr. Peter Tabuns): If someone wishes to speak, they can speak, but as you know, Mr. Hardeman, we can ask many questions; we don't always get answers.

Other further commentary, debate? Mr. Hardeman.

Mr. Ernie Hardeman: Recorded vote.

Ayes

Dickson, Fraser, Hatfield, Rinaldi, Vernile.

Nays

Coe, Hardeman.

The Chair (Mr. Peter Tabuns): It is carried.

With that, we go to the vote on section 32 as a whole. Shall section 1—I'm sorry?

Mr. Ernie Hardeman: I just wanted to comment.

The Chair (Mr. Peter Tabuns): You want to comment before we go to the vote?

Mr. Ernie Hardeman: On section 32.

The Chair (Mr. Peter Tabuns): Yes, it's your right. Please proceed.

Mr. Ernie Hardeman: The section permits local municipalities to appoint an alternate member when a person who is a member of both the local council and the upper-tier council is unable to attend a meeting, authorizing the appointment of a replacement when someone will be absent for a period of more than one month. This section prevents appointing a replacement for the replacement person.

Question: You could ask about the county of Simcoe's concerns. Legislative counsel says that Simcoe's interpretation was incorrect, but when you asked the ministry lawyers, do they understand that same thing?

I've got this down here in my notes, some question about the interpretation of how Simcoe county's interpretation was incorrect about the appointments that we're trying to fix here. The ministry lawyers told us that, in fact, the interpretation was incorrect.

The Chair (Mr. Peter Tabuns): Any further commentary? There is none. We're ready to go to the vote. Shall schedule 1, section 32, as amended, carry? Opposition? It is carried.

I have had a request from Mr. Hatfield for a five-minute break. Is the committee agreeable? Done. Recess for five minutes.

The committee recessed from 1730 to 1737.

The Chair (Mr. Peter Tabuns): Committee resumes. We are now on NDP motion 18.1. Mr. Hatfield.

Mr. Percy Hatfield: I move that section 33 of schedule 1 to the bill be amended by adding the following subsection:

“(2) Subsection 270(1) of the act is amended by adding the following paragraph:

“9. Leaves of members of council due to chronic illness.”

Chair, I bring that forward. It was suggested to us by the city of Toronto. It provides for policies governing council members' absences due to chronic illness. Toronto brought it to our attention because of Ron Moeser. Ron passed away a week ago. He was a councillor from Scarborough. He was instrumental in the establishment of the Scarborough national urban park. He was diagnosed with lymphoma in 2016. He fought bravely. I believe he showed up for a budget meeting not that long ago, but he did miss some meetings while he was fighting his cancer.

If you have a member of council who has a chronic illness, I believe that is a legitimate reason for not being able to fulfill your elected duties on a consistent basis. That's why I believe this motion should be supported.

The Chair (Mr. Peter Tabuns): Ms. Vernile.

Ms. Daiene Vernile: While the Municipal Act currently does provide for 12 weeks' leave of absence—three months—any councillor or mayor in Ontario who requires an extension on top of those three months can receive that from their council.

Really, at no time have we heard from any municipality that this is not working and that it needs to be amended. For that reason, I recommend voting against this motion.

The Chair (Mr. Peter Tabuns): Mr. Coe.

Mr. Lorne Coe: We'll be supporting this amendment. Despite what the Municipal Act says, those of us who have served on council know from our experiences on council that there have been instances that go beyond what is outlined in the Municipal Act.

What this amendment would do is provide and preclude the added step of a council having to deal with a situation which, unfortunately, is occurring far too frequently. The region of Durham that I'm in has eight municipalities. Unfortunately, there are several instances where this is occurring.

This is a minor amendment in the global context of what we're discussing. The intent of what we try to do as legislators is have the best outcomes. We know that this is the best outcome in terms of the effect it would have on municipal councils here in Ontario, regardless of their size.

So I would urge the members of the government, particularly those who have served on council—they know what the effect would be, the difference it would make.

The Chair (Mr. Peter Tabuns): Mr. Hatfield.

Mr. Percy Hatfield: I won't get into this too much, except to say that we recently, just a few motions ago, adopted 20 weeks for maternity leave. Most people would say that really hasn't been an issue, except it was brought forward by a private member's bill because one person in Ontario brought it to the attention of an MPP. When it was first brought to the attention of the minister, he didn't think it was a big issue at the time, but when the PMB came forward, it was folded into the Municipal Act, and we're here. I appreciate that. But also, the city of Toronto had requested that we do something about it.

We, in this Legislature—I won't mention any names; I won't point any fingers—know that some members of the Legislature have chronic illness. Some miss months and months and months. I don't have to mention any names. And yet, when you want a simple definition of chronic illness put into the Municipal Act, to cover lengthy absences, we're being pushed back on it. I don't get it. It's not going to cost the government anything.

Before, when women, be they trustees or be they councillors, wanted permission to miss some meetings because they were with child, or had a child or children, they had to ask for and receive permission from their colleagues—usually the old boys' network on council or on the board—to take the time off. We're changing that.

Just because it's in the act that you can request an extension—here you are, perhaps on your deathbed, dying of cancer, and you've got to come to a meeting and ask for an extension to your leave. I think that is crap. I would say other—I won't.

When you ask for something as simple as adding chronic illness as a reason for legitimate absence from a municipally elected position, I don't expect that we get pushback on it, because we know, in our own working lives here in the Ontario Legislature, our provincial Parliament, that our own colleagues have been absent due to chronic illness, and it has never been an issue. Nobody makes a big deal out of it. We all know who we're talking about.

There are other reasons why some members haven't been here since last June. We won't get into that. But nobody expects them to get a note from the principal to say, “Yes, I won't be there for a while.”

So why are we getting pushback from the government side when we're dealing with a very simple definition? We're just adding a couple of words: “chronic illness.”

To me, it's not rocket science; it's a no-brainer. It's something that should be in there. It's a matter of equity. It's a matter of fairness. I just don't understand why we're hearing, “No, we don't want to do it,” just because it comes from a member of the opposition.

Of all the amendments put forth, I don't believe we have had one accepted by the government side that came from the opposition members. We're the same people who listened to every delegation that came forward. We're the same people who represent the people that came forward. Yet the government is only accepting their own.

Now, if you want to tell me there's something coming up later on, that you're going to put forth a similar amendment, I'll gladly stop and say, "Yes, I'll wait for that one." But if you're just going to push back and say, "No, we don't want to deal with chronic illness"—it's okay for us; I mean, we have it. We don't have to ask anybody's permission not to be here. So why should a member of an elected municipal council have to fight, because of poor health or a chronic illness, to miss more meetings than what is stated in the Municipal Act and have to go cap in hand, on bended knee, to ask for a lengthier time to stay away?

I mean, this is 2017, Chair. We should have people around the table who can look at a simple amendment such as this and say, "Yes, what's the problem? Let's do it. It makes sense." To me, this is—

Mr. Lorne Coe: Do the right thing.

Mr. Percy Hatfield: Thank you, sir. I believe 100% in what Mr. Coe has just suggested: It's a matter of doing the right thing.

I know we have in front of us speaking notes and reasons that our administrators and our caucus staff say, "No, we don't want to do it." But that doesn't mean that you can't, for yourself, say, "You know what? Perhaps they're wrong on this one. Perhaps they haven't thought it through. Perhaps we should be doing the right thing."

I'll leave it at that.

The Chair (Mr. Peter Tabuns): Thank you. Any further discussion on this matter?

Mr. Lorne Coe: Recorded vote.

The Chair (Mr. Peter Tabuns): Recorded vote—

Mr. John Fraser: He's got something.

The Chair (Mr. Peter Tabuns): Mr. Rinaldi?

Mr. Lou Rinaldi: Look, I fully get where Mr. Hatfield is coming from, and Mr. Coe. We know that there are tough circumstances. We don't wish that on anybody, whether on council, or anybody, to get hit with a chronic illness.

The reality of this is that we're making this sound like there is no recourse or resource for that unfortunate member of council, and that if they unfortunately get hit with a chronic disease of whatever type, they're left in the lurch. I don't think that's the case.

I have a lot of respect for Mr. Hatfield. We're good friends. But I do take a bit of exception—because I have respect for you, sir—at the fact that you say, well, somebody's on his deathbed, and he has to go in front of council, begging on his knees, that he needs an extension. I would hope that in the 12 years I spent in the municipal sector, if something to that extent had happened to me or one of my colleagues on council—I wouldn't expect, whether it was me or one of my colleagues on the deathbed, as you mentioned, that we would have to go begging. I think the council of the day—we're all human beings, and we would help our fellow member of council to the best of our ability.

I do respect his comments, and I think we have to be sympathetic to this, but to say that there's no other recourse—I have a hard time believing that, and I mean

that with all sincerity. I think, at the end of the day, whatever the circumstances are, the council of the day will do all the right things.

The Chair (Mr. Peter Tabuns): No further discussion? We're ready for the vote—

Mr. John Fraser: Mr. Chair?

The Chair (Mr. Peter Tabuns): Oh, I'm sorry, Mr. Fraser. My apologies.

1750

Mr. John Fraser: I concur with my colleague. When you look at this motion, even though there may be some other things—the definition of chronic illness; what mental illness is; what bereavement is. There are a number of things in there.

I do believe, unless somebody wants to enlighten me with regard to a situation where—I've not been on council, but in the councils I've seen, when people are under particularly difficult, dire circumstances, whether it be chronic illness, whether it be bereavement, whether it be the illness of a spouse, councils act in a way that's appropriate.

I don't know if we have to mandate that. Those things are pretty broad. If I look at just chronic illness—"Well, no, it's not; it's bereavement." Whose chronic illness is it?

I understand what you're saying, but I don't think we need to do this motion for that reason. Thank you.

The Chair (Mr. Peter Tabuns): Thank you.

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Peter Tabuns): A recorded vote has been requested.

Ayes

Coe, Hardeman, Hatfield.

Nays

Dickson, Fraser, Rinaldi, Vernile.

The Chair (Mr. Peter Tabuns): The motion is lost. We're now going to the vote on schedule 1, section 33. Shall schedule 1, section 33, carry? Carried.

We now go to schedule 1, section 34.

Mr. Lorne Coe: Recorded vote, please.

The Chair (Mr. Peter Tabuns): Is there any debate on this? There is none? Recorded vote on schedule 1, section 34.

Ayes

Dickson, Fraser, Rinaldi, Vernile.

Nays

Coe, Hardeman, Hatfield.

The Chair (Mr. Peter Tabuns): It is carried.

Colleagues, we now have sections 35 to 55, inclusive, for which I have no amendments. I propose to bundle them and vote for them as a group. Are you agreeable?

Interjections: Yes.

The Chair (Mr. Peter Tabuns): No? You have a concern?

Mr. Lorne Coe: Mr. Hardeman is just going through his binder here for a moment.

The Chair (Mr. Peter Tabuns): Fine.

Mr. Lorne Coe: Thank you.

Mr. Ernie Hardeman: I have something with section 47.

The Chair (Mr. Peter Tabuns): Okay. I'll hold it down.

Sections 35 to 46, inclusive: That would be no problem for you, Mr. Hardeman?

Mr. Lorne Coe: We're fine with that. Thank you, Chair.

The Chair (Mr. Peter Tabuns): Shall schedule 1, sections 35 to 46, inclusive, carry? Carried.

We will go to number 47: Mr. Hardeman, for debate.

Mr. Ernie Hardeman: It seems to me that in section 47, the government should have a proper inventory of the land and deal with it properly. Municipalities should not be suffering from lost tax revenue if the government fails to keep track of the property or the owner takes steps to deal with that property.

It just came out in the announcement on the housing issues this week, when they talked about the 16-point disaster. There was some comment about using government land for housing. I think it becomes very important that we have a much better inventory of that, so we know what government land there is, and also what they're doing with it. Obviously, government land—a lot of that, or most of that, is not paying taxes to the municipality.

I think that government generally need to do a much better job of making sure that it isn't their actions that are

causing the municipalities to reduce their number of ratepayers who pay the bills in the municipality.

I'm not necessarily voting against this section. I just wanted to make sure that this was an opportunity to talk about it. I think they need to do much more of that, and we need to find out how much of that property actually exists in the province of Ontario.

When we have the government announcing certain sections in the city of Toronto that are going to be utilized for housing to help with the housing crisis—how much more of that is available in the rest of the province which we could be doing the same thing with? We don't seem to have any data on doing that. So I think this was an opportunity to bring that to the attention of the government members. Hopefully, they will move forward and answer some of those questions in the future.

The Chair (Mr. Peter Tabuns): Any further debate on section 47? Are we ready for the vote? Shall schedule 1, section 47, carry? Carried.

I would propose that we bundle sections 48 to 55, inclusive. There is no disagreement? Shall schedule 1, sections 48 to 55, inclusive, carry? Carried.

That takes us to government motion number 19.

Mr. Lou Rinaldi: Chair, do we have time?

The Chair (Mr. Peter Tabuns): In light of the time, yes—it may be substantial enough that we wouldn't get through it.

Members of the committee, I'm going to suggest that we continue clause-by-clause next Monday and Tuesday at the regular scheduled hours. Is there any objection in the committee to that scheduling?

Mr. Lorne Coe: No, sir.

The Chair (Mr. Peter Tabuns): There is none. With that, we'll reconvene next Monday at 2 p.m.

Thank you for your efforts today. The meeting is adjourned.

The committee adjourned at 1757.

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Also taking part / Autres participants et participantes

Ms. Carolyn Poutiainen, counsel, Ministry of Municipal Affairs

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